UNITED
NATIONS

CERD

International Convention on
the Elimination
of all Forms of
Racial Discrimination

Distr.
GENERAL

CERD/C/338/Add.8
28 October 1998

Original: ENGLISH

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9
OF THE CONVENTION

Fifteenth periodic report of States parties due in 1998

Addendum

Islamic Republic of Iran*

[6 October 1998]

* This document contains the thirteenth, fourteenth and fifteenth periodic reports, submitted in one document, due on 4 January 1994, 1996 and 1998, respectively. For the twelfth periodic report of the Islamic Republic of Iran and the summary records of the meetings at which the Committee considered that report, see documents CERD/C/226/Add.8 and CERD/C/SR.989-990, respectively.

CONTENTS

	Paragraphs	Page
Introduction	1 - 2	3
I. GENERAL	3 - 18	3
II. INFORMATION RELATING TO ARTICLES 2 TO 7	19 - 124	6
Article 2	19 - 43	6
Article 3	44 - 46	12
Article 4	47 - 50	12
Article 5	51 - 102	13
Article 6	103 - 114	26
Article 7	115 - 124	28

Introduction

1. The International Convention on the Elimination of All Forms of Racial Discrimination was signed on 8 March 1967 by the representative of the then Government of Iran and ratified by the National Consultative Assembly of Iran in July 1968, and the instrument thereof was submitted to the United Nations on 29 August 1968. Since then, in compliance with article 9, paragraph 1, of the Convention, Iran has, on several occasions, informed the Committee on the Elimination of Racial Discrimination of the measures taken for the implementation of the provisions of the Convention. The Islamic Republic of Iran's twelfth periodic report was examined by the Committee at its forty-third session in 1993 when the Committee members expressed their opinions (see A/48/18, paras. 257-277).

2. The present report has been prepared taking into account the views of the Committee after it's consideration of Iran's previous report.

I. GENERAL

3. Elimination of all forms and manifestations of racial discrimination constitutes one of the fundamental principles of the Islamic Republic of Iran. This principle emanates from our Government's respect for human dignity, social justice and the sublime Islamic teachings. This verse of the holy Koran, "O, people! We created you male and female and divided you into nations and tribes, so that you may get to know about each other," and this basic guideline of the prophet of Islam, "O, People! Indeed, your God is One, and you have descended all from the same father. There is no superiority for Arabs on non-Arabs nor for non-Arabs on Arabs ... but for their piety", constitute the cornerstone of the Islamic Republic of Iran's belief with regard to the treatment of mankind. Based on the aforesaid, the Constitution of the Islamic Republic of Iran has prohibited any discrimination on the basis of race, colour, sex, etc. and guaranteed equality of all before the law and equal protection of all by law.

4. Stemming from Islamic principles, the Constitution of the Islamic Republic of Iran regards all different ethnic groups as equal and encourages national solidarity among all individual members of the nation. Article 2 of the Constitution stipulates: "Being a system of government based on faith in the One and only God, ... dignity and great values of man and his freedom coupled with his responsibility before God, the Islamic Republic ensures equity, justice, political, economic, social and cultural independence and national solidarity through negation of all practices of tyranny and domination or submission thereto." According to article 19 of the Constitution, "The people of Iran, irrespective of the ethnic group they belong to, shall enjoy equal rights and factors such as colour, race, language, and the like, shall not constitute a privilege."

5. Article 3 of the Constitution stipulates: "In order to achieve the objectives set forth in article 2, the Government of the Islamic Republic of Iran shall direct all its resources for the achievement of ... public participation in the determination of their political, economic, social and cultural destiny, elimination of unjustified discrimination and creation of equal opportunities for all in all material and spiritual fields, ... securing the all-embracing rights of men and women, creation of a just legal security for all and equality of all before the law."

6. Believing in equality of all human beings and rejecting racial superiority, the Islamic Republic of Iran played an important role in the struggle against apartheid at the international level, and continues its serious endeavours to eliminate all forms of racism, racial discrimination and xenophobia throughout the world. Iran is a party to the Convention on the Suppression and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the International Convention against Apartheid in Sports, and has also played a significant role in the formation and implementation of other international instruments aiming at the elimination of all forms of discrimination based on race, language, nationality and the like.

7. As a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Islamic Republic of Iran has, during the past years, continued its efforts towards the full enforcement of the Convention in the legal and administrative fields. In this connection, the Islamic Republic of Iran's Constitution, Penal Code and particular legislation, specially designed for this purpose and its long-term economic, social and cultural programmes and plans have provided a suitable framework for the full implementation of this Convention.

Population

8. According to the census conducted in 1996, Iran has a population of 60,055,488 with 99.56 per cent being Muslims. The men and the women make up 50.81 per cent and 49.19 per cent of the population, respectively. Sixty one per cent of the population inhabit urban areas and the rest rural areas. The literacy rate among persons above six is 79.51 per cent.

9. The overwhelming majority of the Iranian people, including Persians, Azeris, Kurds, Baluchis, Lurs and Arabic-speaking groups, are Aryans of Indo-European origin who entered Iran through the Aral mountains about 2000 B.C. and settled in different parts of Iran. The common language and script of the Iranian people is Persian but Azeri, Kurdi, Luri, Arabic and Baluchi dialects or languages are also spoken by the linguistic minorities. Although official texts and documents, correspondence and textbooks must be in the Persian language and script, there are no restrictions on the use of local

and ethnic dialects or languages in the press and media or on teaching the literature of said languages, along with Persian, in the schools (article 15 of the Constitution). The geographical distribution of the Iranian ethnic minorities is as follows.

10. The Iranian Azeris, who are second only to the Persians in size, live mainly in Eastern Azerbaijan, Western Azerbaijan, Ardabil and Zanjan provinces. A large number also live in Tehran, Hamadan, Qazvin, suburbs of Qom, Saveh and the province of Khorasan.

11. The Iranian Kurds, who mainly inhabit the province of Kurdistan, Kermanshah, Llam and the south-west of Western Azerbaijan province, have been dwelling in Iran since ancient times. In the year 1600, Shah Abbas Safavid forcibly resettled some Kurds in the cities of Quchan and Birjand in Khorasan province, where they have lived ever since.

12. The Baluchis mainly inhabit Sistan and Baluchistan province, an arid region in the south-east of the Iranian plateau. The Baluchis speak Baluchi which is an Indo-European language.

13. The Lurs are one of the Iranian ethnic groups who inhabit the mountainous south-western region of the country, mainly Lorestan province. Based on historical evidence, the Kurds and the Lurs share the same origin. Luri, being the ancient Iranian language, bears witness to the fact that the Lurs have inhabited Iran since time immemorial. Although close to Kurdi, Luri has a different grammar.

14. The Arabic-speaking Iranians live mainly in Khuzestan province and in the region between the Arvand River and the Persian Gulf and in Shush. Some of them also inhabit the Iranian islands in the Persian Gulf.

15. In Iran, the word nomad is applied to groups of individuals who are engaged in, and earn a living from traditional livestock husbandry and who, on a regular seasonal basis, shuttle from one region to another to feed their livestock and earn a living, following a tribal system. In the context of this definition and the results of the census conducted in 1987, the population of Iranian nomads consists of about 180,000 households with about 1,152,000 individuals, 1/ including some of the Lur, Kurd, Azeri, Baluchi and Turkmen ethnic minorities.

16. The Iranian ethnic minorities, except for the Azeris, who are scattered across the country, live mainly in the border regions, far from the centre of the country. During the former regime, the ethnic groups inhabiting these areas were neglected, impoverished and discriminated against to the highest degree. This report, in different sections, points out the measures taken in the post-revolution era to eliminate the injustice and discrimination against these ethnic groups and regions.

1/ The last census regarding the demographic status of nomads was conducted in July 1998, the results of which have not yet been issued.

Refugees

17. Presently, Iran hosts a total of 2.1 million refugees and immigrants, of whom 1.5 million are Afghan refugees dwelling in different cities, mainly in the provinces of Khorasan, Sistan and Baluchestan and Kerman. Thus, Iran has provided food, shelter, health services, education and other basic needs and requirements to the largest refugee caseload in the world. More than 93 per cent of refugees live in cities and villages alongside Iranian citizens. After receiving identity cards, the Afghan refugees will be able to travel and dwell in any part of the country, especially to cities where there are job opportunities for them. A large number of Afghan refugees work on farms. The Government has provided welfare facilities for the Afghans similar to those enjoyed by Iranian nationals. Iraqi refugees, like Afghan refugees, enjoy appropriate welfare facilities and, because of their higher levels of education and job skills, enjoy comparatively better conditions.

18. In accordance with article 14 of the "Refugees By-laws", approved by the Council of Ministers on 16 December 1963, all refugees are to be treated equally irrespective of their race, religion or homeland. According to note (2) to article 13 of the by-laws, "Refugees shall have access to the courts of Iran to demand justice and restore their rights".

II. INFORMATION RELATING TO ARTICLES 2 TO 7

Article 2

19. The Constitution of the Islamic Republic of Iran has provided explicit and clear criteria in order to ensure the quality of all before the law and the judicial authorities irrespective of colour, race, sex and ethnic origin. Article 19 of the Constitution stipulates: "The people of Iran, irrespective of the ethnic group they belong to, shall enjoy equal rights and such factors as colour, race, language and the like shall not constitute a privilege." It is also stipulated in paragraph 14 of article 3 of the Constitution that the Government of the Islamic Republic of Iran shall secure the all-embracing rights of men and women and shall create just legal security for all and equality for all before the law.

20. Article 156 of the Constitution entrusts the judiciary with the protection of individual and social rights, ensuring justice, restoration of public rights, and promotion of justice and lawful freedoms. Article 29 of the Constitution stresses: "Enjoying social security as regards retirement, unemployment, old age, disability, destitution, accidents and calamities, health services and medical care and treatment through insurance, and otherwise, shall constitute a universal right. The Government shall, in accordance with law and out of public revenues and income derived from public contribution, provide for aforesaid services and financial protection for every individual citizen of the country". In accordance with article 30 of

the Constitution, the State shall provide for free education and training for the entire nation up to the end of high school and expand the means of free higher education, aiming for the country's self-sufficiency. No criterion based on race, colour, language and ethnic origin shall play any role whatsoever in the fulfilment of the Government's duties and allocation of the required resources and funds.

21. In line with the aforementioned principles, the Government of the Islamic Republic of Iran has always condemned racial discrimination, while mobilizing all its resources and facilities to pursue the policy of elimination of all forms of racial discrimination and promotion of understanding and solidarity among different ethnic groups of the population, and has avoided all policies which could result in discrimination against any of the ethnic, linguistic or religious groups. Neither does the Government allow any State or local official or organization to arouse racial discrimination of any form whatsoever. Although the Islamic Republic of Iran has never enacted any discriminatory legislation, it nevertheless always reviews the laws, rules and regulations in the country with a view to enabling the executive branch to better implement the articles of the Constitution, including the article banning all forms of discrimination.

Measures taken to eliminate discrimination in areas inhabited by deprived ethnic and tribal groups

22. After the establishment of the Islamic Republic of Iran, the deprived regions of the country were identified and, immediately thereafter, the Government took measures to develop those regions. Gradually, these measures were widened and the budgets allocated to such areas were further increased to improve all aspects of life in the deprived regions.

23. The statistics pertaining to the budgets of the year ending 21 March 1990 to the year ending 21 March 1997 indicate that the deprived areas have been receiving more attention and a greater share. A comparison of the funds allocated during this period for the current and development expenditure of Sistan and Baluchestan province and Kurdistan province indicate a five-fold increase in the budgets for both provinces. In addition to increasing the current and development budgets of the deprived provinces, the President of the Islamic Republic of Iran also set up a special office under the name of Presidential Office for Assistance to Deprived Areas, which has rendered valuable services to these areas during the past several years.

24. In order to raise the level of education of high school graduates in the deprived provinces, the Ministry of Culture and Higher Education of the Islamic Republic of Iran has for several years increased the quota for students from these provinces in public universities and provided them with special facilities for attending university. Hence the number of university graduates from these provinces has increased in recent years; most of them have returned to work in their own provinces. Furthermore, in order to create more educational opportunities for the students of these provinces, the Ministry of Culture and Higher Education has established universities and colleges in most of the deprived areas, allocating the highest quota to local students. The Islamic Azad University - a non-governmental

educational establishment - has also adopted fruitful measures in this regard by establishing colleges and universities for different scientific and industrial fields in different parts of the country, especially in the deprived provinces.

25. Based on the records of the universities and colleges of the country during the First Five-Year Economic, Social and Cultural Development Plan, quantitative changes in higher education have been introduced in the deprived regions. The number of students admitted to the academic institutions of the country from Tehran, Isfahan, Fars, Easter Azerbaijan and Khorasan provinces decreased from 65.7 per cent in academic year 1987/88 to 57.1 per cent in 1997/98, while the quota for such provinces as Kohgiluyeh va Buyerahmad, Lorestan, Hormozgan and Bushehr considerably increased during the same period, representing a move towards equitable distribution of educational opportunities. In academic year 1988/89, 14,821 members of the teaching staff, accounting for 73 per cent of the total number of the country's teachers, were teaching in the five largest provinces of the country. In academic year 1997/98, this figure dropped to 60 per cent. In other words, the new teaching staff have been absorbed by the academic centres in other provinces, showing a move towards a more equitable distribution of educational opportunities and realization of social justice.

26. Judging by these figures, it can be said that the implementation of the higher education plans has been effective in bringing about a regional and provincial balance and in the realization of the policies aimed at achieving social justice. In general, in the past, the distribution of educational opportunities and services between the five largest provinces, on the one hand, and the remaining provinces, on the other, was grossly inadequate and discriminatory. Various effective measures have been adopted in recent years to eliminate the inequalities and establish a balance in terms of the distribution of educational facilities between different provinces. It is hoped that such measures will gradually lead to a nationwide balance in the educational system.

27. To ensure that they enjoy an equitable share of the nation's higher education system, the country's regions have been classified into three distinct categories: region No. 1, consisting of developed cities; region No. 2, consisting of central and developing towns; and region No. 3, consisting of sparsely populated areas with meagre facilities. Applicants for admission to academic centres from each of the three regions have their own quotas and compete among themselves for the selection of the most gifted. At present, in all provinces, including the deprived ones, there is at least one public university.

28. As to the deprived provinces, measures have been taken with the aim that applicants from such provinces are mainly admitted to local universities. Among such measures is the decision of the Reviewing and Planning Committee for the Nationwide University Entrance Exam to allocate at least 40 per cent of the capacity of all university courses to local applicants in the provinces of Llam, Bushehr, Sistan and Baluchestan, Chahar Mahall va Bakhtiari, Kurdistan, Kermanshah, Kohgiluyeh va Buyerahmad, Lorestan and Hormozgan.

29. The promotion of higher education by the Payame Nour (Correspondence) University has had more tangible results in deprived provinces than in developed provinces. This university is making efforts to provide educational opportunities for employees and housewives, particularly in remote and deprived areas. Current statistics indicate that the number of university students per capita in the deprived provinces is no less than that of Tehran, which is testimony to the effective measures taken to provide educational facilities for the deprived regions. Additionally, in association with the public universities of each of the deprived provinces, boarding schools have been established whose students are selected from among the most talented students of the same province through nationwide entrance exams.

30. Also, the Ministry of Education has taken the following measures to tackle the educational problems of the deprived areas at the pre-university levels:

(a) Setting up special organizations at regional and provincial levels to provide pre-university educational services to the nomadic communities of the deprived provinces of Kurdistan, Sistan and Baluchistan, Western and Eastern Azerbaijan, etc.;

(b) Establishing pre-university educational councils in border areas for ethnic minorities;

(c) Allocating greater shares of financial, research and human resources, equipment, etc. to the deprived areas to compensate for the backwardness resulting from the discriminatory policies of the past regime, in proportion to the degree of deprivation of each area;

(d) Devoting a significant amount of educational research to the problems of the deprived areas, such as the research scheme on the root causes of girls' failure to enter schools or to complete their school education in rural and deprived areas.

31. With a view to extending universal education, numerous measures have been taken, including the upgrading of teachers, the establishment of training centres and new campuses, and the use of part-time teachers for rural and deprived areas in order to reach all children belonging to the age group 6-10, especially in the remote and deprived rural areas. As a result of such measures, the percentage of children belonging to this age group in rural areas having access to education rose from 58.5 per cent in 1976/77 to 86.2 per cent in 1996/97. It is estimated that this figure will reach 100 per cent by the year 2000.

32. The Literacy Campaign, launched in 1979, has been able to make millions of people literate, winning second prize in 1990 from the United Nations Educational, Scientific and Cultural Organization. Under the Campaign effective measures have been taken to erase the discrimination between men and women, and between the urban and rural population. For example, as a result of the efforts of the Literacy Campaign, the number of literate women rose from 35.5 per cent of women in 1976 to 74.2 per cent in 1996, whereas the number of literate men rose from 58.9 per cent of men to 84.7 per cent during the same 20-year period, which does not show an equal increase.

33. In the post-revolution era, in a bid to alleviate deprivation in the deprived areas in terms of health care, health education and eradication of discrimination against their inhabitants, the Ministry of Health and Medical Education has taken some valuable measures.

34. In coordination with the State Education and Evaluation Centre, between 50 and 70 per cent of the students admitted to the medical universities are selected on the basis of local and provincial quotas. A large number of students from these provinces have graduated and rendered valuable services to the inhabitants of the deprived areas.

35. Comparing the numbers of physicians, health-care centres (urban and rural), medical students, primary health-care centres, hospital beds, pharmacies, laboratories and clinical experts in the medically deprived provinces in the pre- and post-revolution eras indicates that extensive measures have been taken since the revolution to alleviate the deprivation and discrimination in those provinces in the hope of bringing all provinces of the country to the same level of development. The mortality rate of infants below one year of age in the deprived areas has dropped from 45 per 1,000 in 1987 to 22 per 1,000 in 1997. Of the rural population, the majority of whom are more deprived than the urban population, only 67 per cent had access to healthy potable water during the previous regime, whereas now this figure has risen to 90 per cent. Family planning and population control, immunization and disease control, mother and child health care, procurement and provision of medicines, and primary health care are now widely accessible in deprived rural areas.

36. The Ministry of Education has so far spent a large amount of funds on remedial classes for the students of the deprived areas who apply to enter academic centres. In scattered and deprived rural areas, two schemes have been implemented: boarding schools and central high schools. At present, a great number of students are studying in 486 boarding schools in remote and deprived rural areas. Other ministries and revolutionary institutions such as the Ministry of Reconstruction, the Ministry of Agriculture and the Ministry of Road and Transportation have also carried out numerous activities in this regard.

Measures taken to improve the general conditions of the nomads

37. During the rule of the previous regime, the nomads were devoid of proper living circumstances and appropriate economic, social and cultural conditions and remained severely backward and deprived of all health, educational and welfare facilities. Since the former regime did not regard the lifestyle of the nomad community as a specific and distinct type of communal life, the funds allocated to finance the needs of the nomad community up to 1979 were meagre.

38. In the post-revolution era, the Government of the Islamic Republic of Iran has taken numerous measures to safeguard the human dignity and improve the economic and social status of nomads, providing them with welfare

facilities and material needs to the level of the average man in the society and raising their productive efficiency, even though the constant movement of nomads has made it very difficult for the administration to provide services to them. The Iranian Nomadic Affairs Organization, under the Ministry of Reconstruction, with 28 provincial centres and several affiliated offices in different nomadic towns of the country, is responsible for providing services to this moving community.

39. In 1986, according to a decision by the Council of Ministers, the High Council for Iranian Nomads was set up under the chairmanship of the then Iranian Prime Minister with the participation of the Minister of the Interior, Minister of Reconstruction, head of the Budget and Planning Organization, Minister of Education, Minister of Agriculture, the Prime Minister's Adviser on Nomadic Affairs and two nomadic elders, for the purpose of coordinating the activities of the administration, aiming at providing more and better services to the nomadic community. The most important functions of this council are: the establishment of nomadic cooperatives, providing health services to nomads, formation of mobile schools for nomadic tribes, presenting special education courses particular to the nomads and of establishment special governates and mobile courts for the nomads. Such measures, taken after the Islamic Revolution to eradicate deprivation and discrimination against the deprived layers of our society, are still being followed.

40. To improve the living conditions of the nomads and eradicate discrimination against them, the Council of Ministers, by approving the Plan for the Comprehensive Development of the Nomadic Regions and reaffirming that people are free to choose their style of living and that nobody can be forced to adopt either a permanent abode or a nomadic life, has carried out a great number of activities aiming at: greater participation of the people in development; production and service activities; setting up an appropriate body for the procurement of animal products; provision of sufficient water for nomadic tribes; construction of roads to facilitate the seasonal movement of nomads by motor vehicle; allocation of land for construction of housing units for nomads; formation of and support for nomadic cooperatives; and improvement of the methods of procurement and production of animal products through teaching and promotion, which have considerably improved the nomads' general conditions.

41. In order to improve the conditions of nomad community in the post-revolution era, the Government of the Islamic Republic of Iran has allocated much greater development funds for the purpose. The total amount of funds spent in nomadic areas in the pre-revolution era was 2,335,930,000 rials, whilst the amount of funds spent in these areas in the first three years of the post-revolution era was 3,315,009,000 rials. In aggregate, the total amounts of funds spent in the nomadic areas in the post-revolution era, as compared with pre-revolution funds, has increased 70 times.

42. The Second Economic, Social and Cultural Development Plan has provided for the establishment of 352 development centres to conduct comprehensive studies on thousands of nomadic households and provide special production facilities and services with their own participation. The funds required for conducting studies on and settlement of 20,000 nomadic households during the Second Development Plan, to be financed out of the public revenues, have been estimated at 550.7 billion rials.

43. In general, the Government of the Islamic Republic of Iran has made the utmost efforts to eradicate the deprivation of and discrimination against the Iranian nomadic community, thus raising the hope of settling the overwhelming majority of nomadic households in nomadic habitats during the next several years.

Article 3

44. The Islamic Republic of Iran is not only, on the basis of the provisions of its Constitution, intolerant of any discrimination against different ethnic groups at home, but also, on the global stage, has defended other nations suffering from discrimination and made every effort to remove any such discrimination. There exists no racial discrimination or separation in Iran, and the Government of the Islamic Republic of Iran is not only opposed to such a phenomenon, but also fights the groundworks for its emergence and growth.

45. The Islamic Republic of Iran has always held the opinion that apartheid and racial discrimination are not only in contradiction to the ideals of mankind, but are also unjust from a social point of view, condemnable on moral standards, and unjustifiable on legal grounds. The Islamic Republic of Iran considers racial segregation and apartheid a blatant crime against human dignity and in contradiction to moral and humanistic values. The Islamic Republic of Iran ratified the Convention on the Suppression and Punishment of the Crime of Apartheid in January 1985 and in May 1986, Iran became a signatory to the Convention against Apartheid in Sports and submitted the relevant instrument of ratification in January 1988.

46. Active participation in United Nations actions against apartheid and enforcing economic embargoes and sport boycotts against apartheid were among the other steps taken by Iran in this respect. Economic support given by Iran to the liberation movements of South Africa demonstrated the practical emphasis Iran put on combating apartheid and racial segregation. Placing an oil embargo on South Africa was among the outstanding measures that Iran took in fighting and rejecting apartheid. At the same time, Iran has always expressed concern over some emerging phenomena such as Islamophobia, xenophobia, and the advent of ideas based on racial segregation or racial superiority, and has countered such phenomena through active participation in the pertinent meetings and deliberations.

Article 4

47. After the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination by Iran, the domestic regulations of the country were brought into line with the provisions of the Convention and appropriate legal guaranties were introduced. To this end, in 1977, the Bill

for the Punishment of the Propagation of Racial Discrimination was passed by the two houses of the then parliament under which dissemination of any discriminatory idea based on race, nationality or ethnic grouping is prohibited. Article 1 of this Act reads:

> "Dissemination of any ideas based on discrimination on the basis of race or gender, racial hatred, or provocation thereto through any of the mass media against any different race, gender, colour, or ethnic grouping, or any assistance, including financial support, to the racially discriminatory activities is prohibited. Perpetrators shall be sentenced to a prison term of up to six months or fined from 10,000 to 50,000 rials, unless the crime committed is subject to heavier punishment under other Acts of Parliament according to law. In that case, the heavier punishment shall prevail.
>
> "Note (1): Mass media in this article include speeches in public gatherings, or on radio or television, publication of declarations, books, newspapers, magazines, screening of films and the like."

48. According to article 2 of the Act, "Any individual establishing or running an organization for the propagation or creation of hatred or animosity or division based on race, gender or ethnic grouping shall be punished with three months to one year of imprisonment or fined from 10,000 to 100,000 rials. Membership in such organizations is punishable with the minimum of the said punishments."

49. Paragraph (g) of article 16 of the Act on the Activities of Parties, Associations, Political Societies and Trade Unions, passed in 1981, states that, "Any attempt for the creation or intensification of division and tension among the ranks of the nation, taking advantage of the existing cultural, religious and racial variety in the Iranian society, is prohibited."

50. According to section (c) of article 2 of the Press Code, "It is the mission of the press to deny the false and divisive groupings and refrain from setting the different ranks of the society against each other on the basis of differences in race, language, local traditions and so forth."

Article 5

51. To realize the equality of individuals before the law regardless of their race, colour, nationality, ethnic origin or membership of a particular group or organization, the Islamic Republic of Iran has enacted, adopted and implemented different regulations and practices as described below.

The right to equal treatment before the tribunals and other organs administering justice

52. The Constitution of the Islamic Republic of Iran has specific and clear criteria for establishing equality of individuals before courts and legal authorities regardless of their colour, race, gender, nationality and ethnic grouping. Article 19 of the Constitution stipulates that, "Irrespective of their ethnic group or tribe, all Iranians shall enjoy equal rights; and colour, race, language and the like shall not constitute a privilege."

Paragraph 14 of article 3 of the Constitution specifies the securing of all-embracing rights of all citizens, both females and males, and providing legal protection for all, as well as the equality of all before the law. Therefore, to obstruct the infiltration of ideas based on racial or ethnic superiority, the Constitution has declared all people equal before the law.

53. Under article 156 of the Constitution the judiciary has been entrusted with the duty of realizing the individual and social rights, establishing justice and order in the society, restoring public rights, and promoting justice and legitimate freedoms.

54. Under article 34 of the Constitution, it is the indisputable right of every citizen to seek justice by recourse to competent courts. All citizens shall have the right of access to courts and no one shall deprive a citizen of his legal right of recourse to the courts. According to article 35, both parties to a lawsuit have the right, in all courts of law, to select an attorney, and should any party be unable to do so, arrangements shall be made to provide them with legal counsel.

The right to security

55. In the Islamic Republic of Iran, the right to personal security and the protection of citizens against violence or physical injury by others, including Government, has been emphasized and secured in the Constitution as well as the ordinary laws. Article 22 of the Constitution stipulates the inviolability of all individuals' dignity, life, property, residence and occupation except in cases specified by law. In accordance with article 38 of the Constitution, all forms of torture with the purpose of extracting confession or acquiring information is forbidden, considered as a crime and punishable in accordance with law.

The right to participate in the political life of the society

56. All members of the public in Iran, on reaching the age of maturity, become entitled to vote in the elections. Any person with the necessary qualifications may stand as a candidate for the said elections. The Islamic Consultative Assembly, the only legislative body of Iran, consists of the representatives of all constituencies of the country on a proportional representation basis. According to article 4 of the Election of the Representatives to the Islamic Consultative Assembly Act, the representatives are elected to the Assembly by secret ballot in direct public voting, provided that they achieve a relative majority, i.e. receive at least one third of the votes cast. Consequently, in constituencies with ethnic groups, the candidates gaining the majority of votes will be elected as representatives.

57. The results of the latest elections of the Islamic Consultative Assembly show that the electorate in different constituencies throughout the country participated equally in the elections. There is no discrimination on the basis of colour, language, race and the like for candidacy or voting. The following table shows the participation of the electorate in different provinces in the latest elections for the Islamic Consultative Assembly held in March 1996:

Province	Population	Number of candidates	Number of representatives	Electorate participation (%)
Eastern Azerbaijàn	3 325 540	192	18	69.94
Western Azerbaijan	2 496 320	145	11	75.46
Ardabil	1 168 011	39	6	70.36
Esfahan	3 923 255	206	18	67.5
Ilam	487 886	32	2	90.63
Boushehr	743 675	25	3	83.45
Tehran	11 176 239	565	40	55.74
Chaharmahal and Bakhtiary	761 168	20	3	77.05
Khorasan	6 047 661	272	25	71.69
Khozestan	3 746 772	212	17	72.99
Zanjan	1 036 873	53	6	79.40
Semnan	201 447	40	4	88.57
Sistan and Baluchestan	1 722 579	44	7	62.78
Fars	3 817 036	154	17	75.67
Qazvin a/	•	•	•	•
Qom a/	•	•	•	•
Kordestan	1 346 383	46	6	77.06
Kerman	2 004 328	67	10	80.49
Kermanshah	1 778 596	111	8	75.92
Kohgilooye and Boirahmad	544 356	12	2	96.15
Gilan	224 196	145	13	82.12
Lorestan	1 584 434	94	8	80.62
Mazandaran	4 028 296	189	16	83.69
Markazi	1 228 812	96	6	72.69
Hormozgan	1 062 155	19	4	66.6
Hamadan	1 677 957	97	9	73.21
Yazd	750 769	23	3	70.40
Golestan a/	•	•	•	•

a/ Qom, Qazvin and Golestan gained provincial status and were declared the twenty-sixth, twenty-seventh and twenty-eighth provinces of the country after the 1996 parliamentary elections.

58. In the presidential elections, there is likewise no criteria based on race or language for candidacy or voting. The seventh presidential election, held in May 1997, demonstrated the massive participation of the electorate in the elections, as shown below:

Province	Electorate participation (%)	Province	Electorate participation (%)
Eastern Azerbaijan	70	Qazvin a/	*
Western Azerbaijan	76	Qom	92
Ardabil	73	Kordestan	82
Esfahan	80	Kerman	89
Ilam	91	Kermanshah	78
Boushehr	89	Kohkilooye and Boirahmad	92
Tehran	86	Gilan	72
Chaharmahal and Bakhtiary	89	Lorestan	70
Khorasan	87	Mazandaran	83
Khozestan	77	Markazi	83
Zanjan	85	Hormozgan	89
Semnan	92	Hamadan	79
Sistan and Baluchistan	68	Yazd	97
Fars	84	Golestan a/	*

a/ Qazvin and Golestan gained provincial status and were declared the twenty-seventh and twenty-eighth provinces of the country after the 1997 presidential election.

59. Formation of the councils in the villages, towns, cities and provinces, based on chapter 7 of the Constitution, is the realization of another dimension of peoples' direct involvement in the administration of their own affairs. Article 100 of the Constitution stipulates that, in order to expedite the social, economic, development, public health, cultural and educational programmes and facilitate other affairs related to public welfare with the cooperation of the people, and taking the local circumstances into account, the administration of each village, division, town, city, or province shall be supervised by a council, referred to as village, division, town, city, or provincial council. The members of each of the councils shall be elected by the electorate of the locality in question. According to article 101 of the Constitution, in order to prevent discrimination and attract public participation in designing development and welfare programmes for the provinces and provide for the supervision of a coordinated

implementation of such programmes, a Supreme Council of the Provinces will be formed, composed of the representatives of the provincial councils. The Supreme Council of the Provinces has the authority to draft bills and to submit them to the Islamic Consultative Assembly either directly or through the Government.

60. Article 103 of the Constitution requires the provincial governors-general, city and town governors, divisional governors and other officials appointed by the Government to abide by the decisions made by the councils. For the implementation of this chapter of the Constitution, on 22 May 1996, the Islamic Consultative Assembly passed a law regarding the organization, duties and election of the Islamic Councils and the election of the mayors. The first council elections are due to be held nationally in February 1999.

The right to freedom of movement and residence within the border of the State

61. In the Islamic Republic of Iran, there is no restriction on the movement and residence of citizens in any place within the country, except for the cases specified by the law or a court verdict. Article 33 of the Constitution stipulates that no one may be banished from his place of residence, prevented from residing in a place of his choice or compelled to reside in a particular locality, except as provided by law, i.e. based on a court verdict or where the individual has been accused of committing a public offence. In such a case, the place and duration of exile should be specific and proportionate to the crime committed (articles 19 and 20 of the Islamic Punishment Act).

62. According to article 79 of the Constitution, the proclamation of martial law is forbidden. Only in case of war or cases of emergency akin to war does the Government have the right to temporarily impose certain necessary restrictions, with the approval of the Islamic Consultative Assembly. Nevertheless, under no circumstances may such restrictions last for more than 30 days. Should the circumstances necessitate the extension of the said period, the Government must seek new approval from the Assembly. It is noteworthy that during the eight years of the war imposed by Iraq against Iran, martial law was never declared and the right of free movement was always observed.

The right to leave any country, including one's own and to return to one's country

63. According to the laws of the Islamic Republic of Iran, there shall be no restriction on any Iranian citizen leaving the country or returning to it, except for those legally banned from leaving the country as enacted, for example, in the law denying a passport and the right to leave to debtors and certain others. According to articles 16 and 17 of the Passport Act, a passport and the right to leave the country are to be denied to those who, by a written verdict of the judiciary, are banned from leaving the country; those who are notorious abroad for reasons of beggary, theft, fraud and the like; tax debtors; those listed as debtors by the judiciary or the Real Estate and Document Registration Administration; and those infringing the foreign exchange regulations.

The right to nationality

64. According to article 41 of the Constitution, Iranian nationality is the indisputable right of every Iranian and there shall be no discrimination in acquiring or maintaining Iranian nationality. The Government may not strip an Iranian of his nationality, except at his own request, or where he acquires the nationality of another country. Also, article 42 reads, "Foreign nationals may acquire Iranian nationality within the framework of the law and their nationality may be withdrawn at their own request or if another State grants them its citizenship."

65. Article 976 of the Civil Code specifies the persons who are considered Iranian nationals. No discriminatory criteria are prescribed in this article based on race, colour, language and the like.

The right to marriage and choice of spouse

66. In the Islamic Republic of Iran, one may freely choose one's spouse. According to articles 1062 to 1070 of the Civil Code, marriage should be on the basis of mutual consent, the partners having uttered the proposal and acceptance formulas. The parties to marriage should know each other, and no one may be compelled to marry.

The right to own property

67. According to article 44 of the Constitution, the economy of the Islamic Republic of Iran shall consist of three sectors: public sector, cooperatives and the private sector, to be based on systematic and sound planning. Article 47 of the Constitution provides for the recognition of private property acquired legitimately.

68. The criteria for ownership are set out in the Civil Code and other applicable laws of the Islamic Republic of Iran. According to article 30 of the Civil Code, "owners have every right to profit from or make any changes in their property as they deem fit, but for the exceptions stipulated by law". Moreover, article 31 adds, "No property may be expropriated from its owner, unless as provided by law."

The right to inherit

69. The rules of Islam recognize the right of inheritance for all inheritors. As the Islamic Republic of Iran has its foundations on Islamic rules and regulations, clearly, the rules concerning inheritance are among the most important regulations of the Islamic legal system. According to article 861 of the Civil Code, individuals may inherit both for reasons of affinity and of consanguinity. According to article 862 of Civil Code, inheritance through consanguinity includes the following persons:

1. Father, mother, children and grandchildren (first rank)

2. Grandparents, brothers, sisters and their children (second rank)

3. Maternal aunts, paternal aunts, paternal uncles, maternal uncles and their children (third rank).

70. According to article 863 of the Civil Code, inheritors of one rank inherit when there does not exist any inheritor of a prior rank. Moreover according to article 864 of the Code, among those who inherit through affinity is each of the spouses who is alive when the other dies.

The right to freedom thought, conscience and religion

71. Freedom of religion is among the rights recognized by the Constitution for all citizens. Articles 12 and 13 of the Constitution have recognized religious minorities and have accorded full respect to their religion. In the Constitution of the Islamic Republic of Iran, freedom of thought, conscience and religion for all individuals has been recommended and emphasized. In the laws of Iran, thoughts and conscience, even if inclined towards ill intentions, are not considered a crime and thus not punishable (note 1 to article 41 of the Islamic Punishment Act).

72. In the Islamic Republic of Iran, religious minorities such as Christians, Jews and Zoroastrians, despite their paucity, enjoy the rights and opportunities on a par with the majority in cultural, political, social and other areas. Religious minorities in their schools may teach their literature and religion in their mother tongue. Moreover, there is no restriction on their enrolment in other schools. Religious minorities have kindergartens, nurseries and homes for the elderly which are owned by themselves. The special schools of the religious minorities receive government assistance on a par with other educational institutions on an annual basis. As to budget appropriations and providing other facilities, there is no distinction between minorities and other schools. There is also a seat of Armenian language at Isfahan University.

73. In accordance with article 64 of the Constitution and article 2 of the Elections Law, the Zoroastrian and the Jews each have one representative, the Assyrian and Chaldiac Christians collectively one representative, and the Armenians of the south and north of Iran have one representative each in the Islamic Consultative Assembly. According to article 13 of the Constitution, the Zoroastrian, Jewish and Christian Iranians are the only recognized religious minorities who, within the limits of law, are free to perform their religious rites and ceremonies and to act according to their own canon in matters of personal affairs and religious education.

74. The non-Muslim students, while enjoying their own religious holidays, also share the official holidays of the Islamic Republic. There is no restriction on minority enrolment in universities and other institutions of higher education; with the necessary qualifications, they will be admitted like any other applicant. There are also no restrictions for the employment of members of religious minorities in State organizations and offices, as long as they have the necessary qualifications.

The right to freedom of opinion and expression

75. Freedom of opinion and expression is among the freedoms recognized in the Constitution and other applicable laws of the Islamic Republic of Iran. Paragraph 7 of article 3 of the Constitution requires the Government of the Islamic Republic of Iran to provide for political and social freedoms within the framework of the law. Article 23 of the Constitution explicitly states,

"The inquisition into individuals' beliefs is forbidden, and no one may be molested or reprimanded simply for holding a certain belief." This principle applies to all Iranian people, with no exception.

76. Considering that exercising the right to freedom of speech and expression entails special responsibilities, freedom may therefore not be restricted except insofar as provided by law, with the aim of safeguarding other individuals' rights or dignity, protecting national security, public order and morals. Accordingly, this is repeatedly stipulated in the Constitution. For example, article 24 of the Constitution reads: "Publications and the press shall have freedom of expression, except for matters detrimental to the fundamental principles of Islam or to public rights." With a view to the implementation of this article, the Press Code was adopted in 1985. As mentioned earlier, paragraph C of article 2 of the Press Code states, "It is the mission of the press to deny the false and divisive groupings and refrain from setting the different ranks of the society against each other on the basis of differences in race, language, local traditions and so forth."

The right to freedom of peaceful assembly and association

77. People of every race, religion and ethnic group are free to associate with each other and hold peaceful gatherings. In this connection, article 26 of the Constitution affirms, "the formation of parties, societies, political or professional associations, as well as religious societies whether Islamic or pertaining to one of the recognoized religious minorities, is permitted provided that they do not violate the principles of independence, freedom, national unity, Islamic criteria, or the foundations of the Islamic Republic. No one may be prevented from participating in any of the aforementioned groups or be compelled to take part in them". Article 27 of the Constitution reads, "Unarmed public gatherings and demonstrations may freely be held, provided that they are not detrimental to the fundamental principles of Islam."

78. For the implementation of these articles, the Act on the Activities of the Parties, Societies, Political and Professional Associations, and Islamic and Religious Minorities' Associations was adopted in 1981. Presently, in the Islamic Republic of Iran, there are numerous associations and organizations belonging to special regions. They freely engage in their activities which are mostly cultural or social.

Work-related rights

79. Work-related rights, including the rights to choose a suitable vocation, equal pay and benefits for equal work, unemployment benefits, etc. are among the most important matters focused on by the legislators, who arranged for many important articles of the Constitution to deal with such issues. Paragraph 12 of article 3 of the Constitution stresses the need to lay down the foundations of a proper and just economy to eradicate poverty, eliminate all forms of deprivation as regards food, housing, jobs and health care, and to provide for proper and wide-reaching social security cover.

80. Under article 28 of the Constitution, the Government is obliged to provide for universal employment and bring about equal opportunities for all to qualify for different vocations needed by the society.

81. In accordance with article (6), and based on the provisions of paragraph 4 of article 43 and paragraph 6 of article 2 and articles 19, 20 and 28 of the Constitution of the Islamic Republic of Iran, forced labour and exploitation of persons is prohibited. Under the same articles, all Iranians, regardless of their ethnic origin and place of birth, shall enjoy equal rights, and colour, race, language and the like shall not constitute a privilege for any person. Also, all men and women are equally protected by the law. According to the same articles, all citizens have the right to choose any vocation that does not violate public or other individuals' interests.

82. Article 29 of the Constitution states, "It will be the right of all members of the public to enjoy social security benefits as concerns retirement, unemployment, old age, disability, loss of a guardian, accidents, the need for health care and medical services."

83. The new Labour Law was approved in 1980. In this law various aspects of labour, working conditions in workshops, working hours, wages, insurance, welfare facilities and prohibition of preferential treatment based on ethnic origin, race, gender or language have been dealt with. Concerning equal pay for equal work, article 38 of the Labour Law states: "Men and women performing equal labour, under equal conditions in the same workplace, must receive equal pay. Wage discrimination based on age, race, ethnic background, political and religious beliefs is prohibited." In regard to workers' insurance, article 148 of the Law requires the employers whose workshops are the subject of the Law to insure all their workers.

84. As for housing, employers are required to cooperate with housing cooperatives and, when no such cooperative exists, to cooperate with employees to secure adequate housing. Employers in large plants are required to construct public housing in the proximity of the plant (article 149 of the Labour Law).

<u>The right to form and join trade unions</u>

85. Article 26 of the Constitution allows the formation and membership of trade unions. Presently, a large number of such unions, with a substantial membership, are active.

86. Article 2 of the Act on the Activities of Parties, Societies, Political and Professional Associations, and Islamic and Religious Minorities' Association states: "Parties, political associations, unions, societies, etc. are entities formed by persons of a particular vocation, profession or experience, with objectives, programmes, and activities particular to the interests of that group."

87. Regulations relating to the establishment and activities of trade unions, conditions for membership, etc. have been explained in detail in the Trade Unions Act and are being followed in practice.

<u>The right to housing</u>

88. On this subject, paragraph 12 of article 3, article 31 and paragraph 1 of article 43 of the Constitution have outlined the necessary framework. Article 31 of the Constitution states: "Suitable housing is the right of any

individual and Iranian family. The Government is required to provide the means for the implementation of this article, with needier classes, especially the rural people and workers, to be given priority." To carry out its responsibilities in this regard, the Government has drafted and implemented various regulations to provide housing for the needy.

89. To regulate matters relating to land, including an increased supply of land, adjusting and fixing land prices and achieving the goals described in articles 43, 45 and 47 of the Constitution, the Urban Land Act was passed in 1981, revised in 1987, and is binding throughout the country. The notes to article 9 of this Act relate to the procedure for granting land parcels to different individual applicants and cooperatives intending to construct dwellings for people without proper housing. The Act consists of 17 articles and administrative regulations. The administrative regulations, with a number of changes, were again ratified by the Consultative Assembly in 1992 and are presently binding. In accordance with the provisions of this law and taking into account the Housing and Civic Ministry's practice of granting parcels of land to the needy for housing, land parcels have been granted to applicants who met the necessary conditions, irrespective of their race, colour, language, religion, etc.

The right to public health, medical care, social security and social services

90. Article 29 of the Constitution asserts that it is the universal right of all citizens to benefit from health, medical and clinical services in the form of a national health insurance system. Under this article, the Government is bound to provide such protection, for all members of the public, by drawing on public funds and revenues resulting from popular participation.

91. Article 2 of the guidelines issued by the Council of Ministers on 30 July 1994 for investigations into professional misconduct of persons engaged in the medical profession, states: "Medical professionals are bound to offer, to the fullest possible extent within their professional responsibilities, their services to patients, irrespective of race, nationality, religion, social or political status." As a punishment for medical professionals discriminating between their patients, article 31 of the guidelines has considered penalties ranging from receiving a written reprimand recorded in the practitioner's file to a written reprimand recorded in the Medical Order's records and publicized in the local Medical Order's journal, or posting the verdict on the local Medical Order's billboard.

92. Article 29 of the Constitution stipulates that all citizens are entitled to social security benefits as regards retirement, unemployment, old age, disability, loss of a guardian, accidents, etc. Services are to be provided by the Government through national insurance. Presently, all office employees, workers and wage earners are covered by insurance. A large number of other people are also covered by insurance. In fact, the Government has systemically provided insurance coverage for almost all citizens. Today, insurance coverage is available to all individuals.

The right to education and training

93. The Islamic Republic of Iran respects the rights of all citizens to an education, irrespective of race, sex, colour, religion or ethnic background. Paragraph 3 of article 3 of the Constitution calls for free education for all

people. Further to this, article 30 of the Constitution clearly states: "The Government is responsible for providing all necessary facilities for the free education of all persons up to the tertiary level and facilitate free higher education as much as possible towards the country's self-sufficiency in higher education."

94. In line with the provisions of the Constitution, one of the main objectives of the First and Second Economic, Social and Cultural Development Plans was to create equal opportunities and achieve social justice in education, and particularly higher education, through increased investment in the deprived areas. To this end, and by setting up new institutes of higher education and expanding the existing institutes in different provinces, the Government has been attempting to bring about a quantitative and qualitative balance in higher education in favour of the disadvantaged provinces.

The right to equal participation in cultural activities

95. In the Islamic Republic of Iran all persons may participate in cultural activities. People from different ethnic groups, without any discrimination, have the right to participate in cultural activities. According to article 3 of the Constitution, the Government is bound to use all means at its disposal to increase public awareness in all areas by making proper use of the press and other mass media, fostering a desire to study, supporting research and innovation in all scientific, technical, cultural and Islamic fields through establishment of research centres and encouragement of researchers, with the aim of popular participation in charting the political, economic, social and cultural destiny of the nation.

96. According to article 15 of the Constitution, Persian is the common and official language and script of the Iranian people. The same article allows the use of local and ethnic languages in the local press and mass media and their inclusion in the school curriculums, alongside Persian. Presently, this article of the Constitution is acted upon in various parts of the country. Different educational supplementary texts in various local languages have been published and, where necessary, teachers make use of the local languages for the furtherance of education, with no prohibitions existing in this regard.

97. To accomplish the above goals, the Government has provided the means for popular cultural participation in all fields, especially in schools, the press, radio and television. Presently, hundreds of cultural associations are functioning throughout the country with members from all religions and ethnic groups.

98. After the victory of the Islamic revolution and particularly in the 1990s, in view of the country's cultural diversity, facilities have been provided for the publication of various newspapers and publications in all regions and provinces and in local languages. The following chart displays the number of periodicals being issued in each province of the country.*

---

* The chart indicates only provincial periodicals. At present more than 734 weekly, monthly quarterly, biannual and annual publications on a variety of subjects, ranging from current affairs to special interests and hobbies, and 88 newspapers are distributed throughout the whole country. The newly formed Gorgan province is not included in the chart.

Province	Number of periodicals	Province	Number of periodicals
Eastern Azerbaijan	19	Qazvin	3
Western Azerbaijan	5	Qom	23
Ardabil	7	Kordestan	6
Esfahan	22	Kerman	27
Llam	4	Kermanshah	12
Boushehr	1	Kohkilooye and Boairahmad	5
Tehran	92	Gilan	19
Chaharmahal and Bakhtiary	4	Lorestan	3
Khorasan	30	Mazandaran	13
Khozestan	9	Markazi	9
Zanjan	6	Hormozgan	3
Semnan	4	Hamadan	7
Sistan and Baluchistan	4	Yazd	6
Fars	18		

99. To promote popular participation in the production of television and radio programmes, much effort has been put into regionalizing TV and radio programmes and producing special provincial programmes to suit the cultural needs of different regions and provinces. Presently, besides Tehran, 29 other regional broadcasting centres are producing and broadcasting radio programmes tailored to the language, culture and needs of the local inhabitants. In 1996, provincial centres aired a total of 81,307 hours of local radio programmes in Persian and the prevalent local provincial dialects.

100. According to published statistics on broadcast radio programmes, Khuzistan with 4,731 hours in two languages, Kurdistan with 6,481 hours in three languages and dialects, Eastern Azerbaijan with 3,432 hours in three languages and dialects, Systan and Baluchistan with 3,426 hours in four languages and dialects, Khorasan provincial centre with 4,338 hours in five languages or dialects had the highest share of broadcasting. The statistics of radio programmes aired by provincial centres in 1996/97, divided into language and broadcasting hours, were as follows:

3,432 hours in Persian, Azeri and Caucasian Azeri by the Eastern Azerbaijan centre;

3,163 hours in Persian, Northern Kurdish, Azeri and Assyrian by the Western Azerbaijan centre;

2,476 hours in Persian and Azeri by the Ardabil centre;

2,048 hours in Persian and Kurdish by the Llam centre;

4,338 hours in Persian, Kermanji Kurdish, Uzbek, Tajik and Dari by the Khorasan centre;

4,731 hours in Persian, Arabic and Arabic for overseas by the Khuzestan centre;

1,508 hours in Persian and Azeri by the Zanjan centre;

3,426 hours in Persian, Balouchi, Urdu and Pashtoo by the Sistan and Balouchistan centre;

6,481 hours in Persian, Kurdish, Urami and Surani Kurdish by the Kurdistan centre;

3,822 hours in Persian and Surani Kurdish by the Kermanshah centre;

1,522 hours in Persian and Luri by the Kohkilhouyeh and Boyerahmad centre;

2,366 hours in Persian, Turkmen and local Turkmen by the Gorgan centre;

4,544 hours in Persian and Gilaki by the Gilan centre;

1,952 hours in Persian and Kurdish by the Mahabad centre;

1,771 hours in Persian and Azeri by the Hamedan centre.

101. Provincial centres have also broadcasted 12,343 hours of TV programmes, making up 34.6 per cent of all Iranian TV's broadcasting hours in 1996/97. The duration of television programmes broadcast by provincial centres for this year, divided into language or dialect and broadcast hours were as follows:

523 hours in Persian and Azeri by the Eastern Azerbaijan centre;

445 hours in Persian and Azeri by the Western Azerbaijan centre;

447 hours in Persian and Azeri by the Ardabil centre;

500 hours in Persian and Arabic by the Khuzestan centre;

353 hours in Persian and Surani Kurdish by the Kurdistan centre;

60 hours in Persian and Turkmen by the Gorgan centre;

268 hours in Persian and Kurdish by the Mahabad centre.

The right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafés, theatres, parks

102. In the Islamic Republic of Iran, all citizens have free equal access to public facilities such as public transport (planes, trains, buses, minibuses and a variety of other vehicles), hotels, restaurants, cafés, parks, theatres, etc. In this connection, no citizen's right of access may be denied except by a legal permit. Especially in recent years, regardless of the population make-up of different regions, the Government has undertaken a great number of projects to expand and open new recreational centres, hotels, restaurants, etc.

Article 6

103. Article 20 of the Constitution states, "All citizens, women and men alike, shall equally be protected by law." Article 34 of the Constitution stresses that all citizens have the right to seek justice, stating, "Any citizen may have recourse to a competent court for justice." All citizens have the right of access to the courts and no citizen may be prevented from seeking justice from a court to which he/she has a legal right of recourse.

104. According to article 3 of Civil Procedure Code, courts of justice are bound to investigate petitions in accordance with the terms of law, deliver verdict and settle the case. According to ruling No. 868 of 19 April 1946 issued by the Supreme Court of cassation, the first and foremost duty of any judge is to administer justice. Failure to do so is not permitted by law and heavy penalties are foreseen for any judge denying justice. Ruling No. 1329/255-5 of the Supreme Court of cassation states: "Verdicts issued by courts failing to end or settle a case are contrary to article 3 of the Civil Procedure Code and will therefore end up in cassation."

105. According to article 1 of the Civil Responsibilities Act, passed on 7 May 1960, any person causing wilful or unintentional loss, injury or damage to the life, health, property, freedom, prestige, business reputation or other rights legally granted to any other person without a legal permit, resulting in a loss of a material nature or otherwise to that other person, will be responsible for the compensation of the losses sustained as a result of his actions. After investigations and substantiation of the charges, in accordance with article 2 of the Act, should the court find that the acts of the respondent have resulted in the loss, of a material nature or otherwise, sustained by the claimant, the court shall order the guilty person to compensate the losses/damages. Therefore, if for any reason, including hatred of or opposition to a particular race or religion, a person harms or damages the interests of an individual or a group of individuals belonging to that particular race or religion, the court shall, after investigation, convict the guilty party to compensating the damages.

106. After acceding to the International Convention on the Elimination of All Forms of Racial Discrimination, the Iranian Government enacted a law for the punishment of the propagation of racial discrimination. With effect from the date of enactment of the said law, the violators became subject to criminal prosecution. Victims of racial discrimination have the right to petition the

court for restitution. According to article 3 of the Criminal Prosecution Law, a claim may be made for damages by private claimants. According to article 9 of this law, the damages one may claim for are as follows:

(a) Material damages sustained as a result of a criminal action;

(b) Damages other than that of a material nature, such as dealing a blow to the prestige or dignity of victims or subjecting them to mental anguish;

(c) Prospective interests of which the private claimant has been deprived as a consequence of the criminal act.

107. Therefore, if the crime committed is solely the propagation of ideas based on racial discrimination or provocation to discriminate on the basis of race, ethnic origin, sex, and the like, or collaboration in or financial support of such crimes, the violator(s) shall be sentenced to the punishment stipulated in the Racial Discriminations Punishment Act. Furthermore, in the event of sustaining losses as a result of racial discrimination, the victims may claim for restitution, both by having recourse to the Civil Responsibilities Act and also by bringing a criminal lawsuit against the violators. Furthermore, in Iran there exist a number of organizations responsible for investigating infringements of individual rights, including acts of discrimination by individuals or legal entities.

108. The Article 90 Commission of the Islamic Consultative Assembly formed under article 90 of the Constitution, receives the complaints submitted by any body regarding the work of the Assembly, of the executive branch or of the judicial branch. This Commission is duty-bound to look into them and make the necessary responses. According to article 44 of the Islamic Consultative Assembly's internal by-laws, the Commission can directly approach and correspond with the legislative, executive and judicial powers, revolutionary organs, all ministries and their affiliated organizations and seek explanations regarding the complaints for which no reply was received, or to which an unconvincing reply has been received. The relevant party is duty-bound to revert with an adequate reply in the shortest possible time. The reports of the Article 90 Commission, when presented to Assembly's presiding board, shall be included in the agenda with priority and read out at the Assembly's next open session.

109. Due to the possibility of infringement of an individual's rights by unlawful practices in the ministries, public sector organizations, the armed forces and the administrative bodies, and as in many cases the individuals concerned may never lodge a complaint in such cases, thereby resulting in neglect of the rights of a person or a group of persons, a systematic inspection of public sector bodies is warranted. The National Inspection Organization has therefore been established under article 174 of the Constitution. This organization makes a systematic investigation of the affairs of all ministries, offices, the armed and disciplinary forces, public sector companies and institutions, municipalities and their affiliated bodies.

110. Article 173 of the Constitution provides that the Administrative Justice Tribunal shall be established as a special judicial authority charged with

investigating the administrative complaints lodged by people against government agents, organizations or procedures. The Tribunal is the highest decision-making body in this respect. Since its inception, the Tribunal has investigated administrative complaints, especially those concerning administrative and corporate mistreatment in the employment process or unlawful codes and procedures. Article 21 of the Administrative Justice Tribunal Act states: "Public sector bodies, including ministries, State organizations, State institutes, public sector companies, municipalities, their affiliated organizations, and the revolutionary organs are obliged to put the Tribunal's verdicts into practice. The violators, will, according to the Tribunal's verdict, be dismissed from the public sector."

111. The Islamic Human Rights Commission was set up in 1994 as a national institution to, inter alia, clarify, instruct and promote human rights, to supervise the procedure of the human rights exercise and to review the situation of the Islamic Republic of Iran in connection with the international instruments. The Commission, from the very beginning of its establishment up to the present, has made considerable efforts in pursuing the complaints lodged, going on a number of visits to supervise the exercise of human rights, doing research on human rights and giving instructions to various governmental bodies and institutions.

112. The Board for Follow-up and Monitoring the Implementation of the Constitution has been formed recently by the President to monitor the trend of the implementation of the Constitution and to seek and find ways and means of the further implementation of the Constitution as the most important charter of the rights and freedoms of the people.

113. In order to participate more actively in international human rights discussions and to coordinate the cooperation of various national organs of the Islamic Republic of Iran with international human rights organs, the Human Rights Department was set up within the Legal and International Affairs Branch of the Ministry of Foreign Affairs to make policy; coordinate, guide and support the active participation of the Islamic Republic of Iran in international human rights forums; cooperate with United Nations human rights organs, mechanisms and procedures; follow up and respond to claims made by international bodies and non-governmental organizations, as well as to prepare periodic reports on international instruments.

114. Despite the large number of the legal texts published and distributed to the public, and the consequent public knowledge of legal procedures available against acts of racial discrimination, to date, no case of racial discrimination has been brought to the attention of the courts and above-mentioned organizations.

Article 7

115. Considering its population composition and racial homogeneity, the Islamic Republic of Iran is a vivid example of coexistence, brotherhood and solidarity among different tribes and hence the problem of racism and racial discrimination fortunately has never been encountered. Nevertheless, the Government has always endeavoured to enhance the national solidarity among the different layers of society and to eliminate racial and ethnic boundaries

through applying different means such as holding various festivals and exhibitions with the active participation of different ethnic and linguistic groups, utilizing TV and radio programmes, using educational books and materials, etc. The trend and the pace of these measures in recent years demonstrate a great rise both in quality and quantity.

116. To promote solidarity and harmony among different Iranian ethnic groups, the Government of the Islamic Republic of Iran has provided the means for the establishment and development of the needed institutions and practices. These measures had greatly contributed to the promotion of understanding between the groups and has, to a great extent, prevented ethnic and religious intolerance from becoming the root cause of racial discrimination.

117. At the national level, cultural activities such as the production of movies, publication of books and other artistic endeavours containing messages aimed at increasing the human rights knowledge of the people are encouraged as a means of guaranteeing the health, security and advancement of social life. Producers and authors are praised and acclaimed.

118. One of the duties of the international affairs branches or sections of the different ministries is to promote the public civil servants' knowledge of international instruments, the provisions of some of which are specifically taught at the Faculties of Law and Political Science in the various universities of the country. The public are informed of the Islamic Consultative Assembly's ratifications through announcements in the Official Gazette, widely circulating publications and radio and television (article 69 of the Constitution). Naturally, after ratification by the Islamic Consultative Assembly and approval by the Council of Guardians, international conventions on human rights become domestic law and are announced to the public through publications, especially the Official Gazette.

119. The Directorate General for International Social Affairs in the Ministry of Foreign Affairs, consisting of two independent departments, one for social and women's affairs and the other for human rights affairs, has, along with discharging its ordinary mandate, played an effective role in informing the public about the question of human rights and its different aspects through, inter alia, holding periodic seminars and workshops with the participation of foreign experts. One of the issues raised at these seminars, which are held annually, is a review of Iran's commitments under international instruments. Discussions are held on periodic reports and on the viewpoints of the respective treaty bodies.

120. Several workshops and training courses are held annually for the disciplinary forces which are designed to familiarize them with the standards of the treatment of prisoners and detainees. Furthermore, all judges participate in the training courses organized by the judiciary and the Islamic Human Rights Commission in order for them to be acquainted with and apply the most modern and effective system of law enforcement and judgement.

121. The Islamic Human Rights Commission, in conjunction with other relevant organizations, has started endeavours for presenting "human rights" as one of the main subjects of the related courses in universities.

122. The Ministry of Education has undertaken effective measures to acquaint high school and intermediary students with United Nations and other human rights conventions such as the International Convention on the Elimination of All Forms of Racial Discrimination. Such measures have also been taken in connection with teacher training courses: their textbooks include many references to this subject. Many seminars have also been held on the subject. In this connection, the religious preachers have also taken an active role, preaching to the public on the issue in their sermons, pointing to the Islamic principles of equality and negation of racial discrimination.

123. Certain initiatives have been taken to establish a human rights course in the universities and other academic institutions. However, for the time being human rights is a part of the training syllabus of some legal and political courses. With the aim of furthering students' knowledge and awareness, the Ministry of Higher Education has introduced obligatory and optional courses at the Bachelor, Masters and Ph.D. levels and encouraged students to engage in studies and research on the subjects of the United Nations, human rights, and international human rights instruments. As an example, in Shiraz University, students studying for their Bachelor degree are required to take one unit of study on human rights and another unit on social rights and fundamental freedoms. At the International Relations College, the subject of "human rights" is taught in graduate and undergraduate programmes. The Law College of Imam Sadegh University also offers a course on human rights at the Masters level.

124. In general, considerable efforts have been made in the Islamic Republic of Iran to acquaint the public with human rights issues and the relevant international treaties, specifically on the prevention of racial discrimination. An example is the printing of a series of stamps on a large scale by the Ministry of Post, Telegraph and Telephone in 1984 on the occasion of the International Day for the Elimination of Racial Discrimination. No doubt, affixing these stamps on millions of envelopes circulating around the country and the world must have honoured the great goal of combating racism and racial discrimination.